

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method of allocating a divisible resource comprising the steps of:

retrieving first data indicative of at least one bid comprising a quantity data component and a price data component;

retrieving second data indicative of a new bid comprising a quantity component and a price component;

first allocating a first portion of said resource to each of said at least one bid ~~with~~having a price component higher than the price component of said new bid;

second allocating a second portion of said resource to said new bid responsive to said first allocation step;

calculating said new bid's cost ~~responsive to as a function of~~ said price data component of at least one said at least one bid ~~with~~having a price component lower than said price component of said new bid; and

storing cost data indicative of said new bid's calculated cost.

2. (Original) The method of claim 1, wherein said resource is bandwidth.

3. (Original) The method of claim 1, wherein said new bid's resource allocation and said calculated cost are transmitted to an entity who made said new bid.

4. (Currently Amended) The method of claim 1, wherein said ~~allocated~~second portion of said resource is utilized by an entity associated with said new bid.

5. (Currently Amended) The method of claim 1, further comprising a step ordering said ~~retrieved~~ at least one bid corresponding to said first data by said at least one bid's price component.

6. (Currently Amended) The method of claim 1, further comprising the step of retrieving data indicative of said resource's maximum capacity and wherein said first and second allocation steps are responsive to said maximum capacity.

7. (Currently Amended) The method of claim 6, wherein said resource is allocated to said new bid only if said first ~~allocation in~~ portion of said resource is less than said maximum capacity.

8. (Currently Amended) The method of claim 1, wherein an ~~initial allocation of said resource is performed~~ allocated in a first allocation before said new bid is processed.

9. (Currently Amended) The method of claim 8, wherein said ~~calculating said new bid's cost is responsive to~~ calculated as a function of at least said ~~retrieved one~~ bid ~~with~~ corresponding to said first data indicative of said having the lowest price component ~~of bids~~ which ~~has been~~ were allocated in said ~~initial~~ first allocation.

10. (Currently Amended) The method of claim 8, ~~1~~, wherein said ~~calculating said new bid's cost is responsive to~~ calculated as a function of a plurality of said ~~retrieved~~ bids ~~with data indicating said prices which~~ corresponding to said first data having price components that are lower than said new bid's price component.

11. (Currently Amended) The method of claim 1, wherein said ~~calculating said new bid's cost is responsive to~~ calculated as a function of at least said ~~retrieved one~~ bid ~~with~~ corresponding to said first data indicative of said having the lowest price

~~which~~component that would have received an allocation of said resource if said new bid was not retrieved.

12. (Currently Amended) The method of claim 11, wherein said ~~calculating~~ said new bid's cost is ~~responsive to~~calculated as a function of a plurality of ~~said received~~ bids ~~with data indicative of prices~~corresponding to said first data having price components that are lower than said new bid's price component.

13. (Currently Amended) The method of claim 1, wherein one of said at least one bid is submitted by a processor performing said first and second allocation steps.

14. (Original) The method of claim 1, wherein said at least one bid comprises valuation data comprising a plurality of price components associated with a plurality of quantity components.

15. (Currently Amended) The method of claim 14, wherein said ~~allocation~~ is first and second allocations are responsive to said plurality of price components and said quantities components.

16. (Currently Amended) The method of claim 1, wherein said new bid comprises valuation data comprising a plurality of price components associated with a plurality of quantity components.

17. (Original) The method of claim 16, wherein said allocation is responsive to said new bid's plurality of price components and said quantity components.

18. (Currently Amended) An apparatus for allocating a divisible resource comprising:

means for retrieving at least one first bid comprising a quantity component and a price component;

means for retrieving a new bid comprising a quantity component and a price component;

means for first allocating a first portion of said resource to each of said at least one bid ~~with~~having a price component higher than the price component of said new bid;

means for second allocating a second portion of said resource to said new bid responsive to said first allocation step; and

means for calculating said new bid's ~~bids-cost responsive to~~as a function of said price component of at least one of said at least one bid ~~with~~having a price lower than said new bid.

19. (Original) The apparatus of claim 18, wherein said resource is bandwidth.

20. (Currently Amended) The apparatus of claim 19, further including means for storing data indicative of said new bid's cost.

21. (Original) The apparatus of claim 18, further comprising means for ordering said retrieved at least one first bid by said bid's price component.

22. (Original) The apparatus of claim 18, further comprising means for retrieving said resource's maximum capacity and allocating said resource responsive to said maximum capacity.

23. (Original) The apparatus of claim 22, wherein said resource is allocated to said new bid by said allocation means only if said first allocation is less than said maximum capacity.

24. (Original) The apparatus of claim 18, wherein an initial said allocation of said resource is completed by said first allocation means before said new bid is processed.

25. (Currently Amended) The apparatus of claim 24, wherein said means for calculating calculates said ~~second~~new bid's cost ~~by said allocation means is responsive~~

~~to~~ as a function of at least one of said ~~retrieved~~ at least one first bid with said having the
lowest price ~~which has been~~ component that was allocated in said initial allocation.

26. (Currently Amended) The apparatus of claim 25, wherein said means for
calculating calculates said new bid's cost ~~by said allocation means is responsive to~~ as a
function of a plurality of said ~~received bids with prices~~ at least one first bid having price
components lower than the price component of said new bid.

27. (Currently Amended) The apparatus of claim 18, wherein said means for
calculating calculates said new bid's cost ~~by said allocation means is responsive to~~ as a
function of at least one of said ~~retrieved~~ at least one first bid with having said the lowest
price components which would have received an allocation if said new bid was not made.

28. (Currently Amended) The apparatus of claim 27, wherein said means for
calculating calculates said new bid's cost ~~by said allocation means is responsive to~~ as a
function of a plurality of said ~~received bids with prices~~ at least one first bid having price
components lower than the price component of said new bid.

29. (Currently Amended) The apparatus of claim 18, wherein one of said at
least one first bid bids is submitted by an operator of said apparatus.

30. (Currently Amended) The apparatus of claim 18, wherein said at least one
first bid comprises valuation data comprising a plurality of price components associated
with a plurality of quantity components.

31. (Currently Amended) The apparatus of claim 30, wherein said ~~allocation~~
~~by said allocation means~~ for second allocating is responsive to said plurality of price
components and said ~~quantities~~ sy components.

32. (Currently Amended) The apparatus of claim 18, wherein said new bid comprises valuation data comprising a plurality of price components associated with a plurality of quantity components.

33. (Currently Amended) The apparatus of claim 32, wherein said ~~allocation~~ ~~by said allocation means~~ for second allocating is responsive to said new bid's plurality of price components and said quantity components.

34. (Currently Amended) A system for allocating a divisible resource comprising:

~~at least one bidding entity for providing bids comprising a quantity component and a price component;~~ a new first bidding entity for providing at least one bid comprising a quantity component and a price component; ~~and~~
a new bidding entity for providing at least one new bid comprising a quantity component and a price component; and

~~A~~ a processor for first allocating a first portion of said resource to each of said at least one first bid with a price component higher than the ~~second~~ new bid and for second allocating a second portion of said resource to said new bid responsive to said first ~~allocation step~~ allocating; wherein said processor calculates said new bid's ~~bids~~ cost ~~responsive to~~ as a function of said price component of at least one of said at least one first bid with a price lower than said new bid.

35. (Original) The system of claim 34, wherein said resource is bandwidth.

36. (Currently Amended) The system of claim 34, wherein said processor transmits information indicative of said price component of said new bidding entity to said at least one first bidding entity.

37. (Currently Amended) The system of claim 34, wherein said processor retrieves data indicative of said resource's maximum capacity and allocates said resource responsive to said maximum capacity and wherein said resource is allocated to said new bid only if said ~~first allocation in~~portion of said resource is less than said maximum capacity.

38. (Currently Amended) The system of claim 34, wherein said calculating said new bid's cost is ~~responsive to~~performed as a function of at least one of said ~~retrieved~~at least one first bid ~~with~~having said the lowest price component which has been allocated ~~in~~during said ~~initial~~first allocation.

39. (Currently Amended) The system of claim 34, wherein said calculating said new bid's cost is ~~responsive to~~performed as a function of a plurality of said ~~received~~at least one first bids ~~with~~price components lower than said new bid.

40. (Currently Amended) The system of claim 34, wherein said calculating said new bid's cost is ~~responsive to~~performed as a function of at least one of said ~~retrieved~~at least one first bid with ~~said~~the lowest price component which would have received an allocation if said new bid was not made.

41. (Currently Amended) The system of claim 34, wherein said at least one first bid comprises a plurality of price components associated with a plurality of quantity components.

42. (Currently Amended) The system of claim 41, wherein said ~~allocation~~second allocating is responsive to said plurality of price components and said quantity component.